IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE

WRIT PETITION NO.7613 OF 2005

Abarar Paper Mills & Ors. ...Petitioners.
Vs.
Central Bank of India. ...Respondents.

....

Mr. Dushyant Purekar for the Petitioners.
None for the Respondent.

.....

CORAM : F.I. REBELLO, J. AND
DR.D.Y.CHANDRACHUD, J.

January 9, 2006.

P.C.

Rule. Heard forthwith.

The learned counsel for the Petitioners files a compilation of documents including the order dated 8th September 2005 passed by DRAT in Appeal No.211 of 2005. By that order, a conditional order was passed directing the Petitioners to deposit 25% of the amount within 8 weeks failing which the appeal was to stand rejected. This petition was filed on 25th October 2005. The Petitioners failed to deposit the amount within the stipulated time and consequently the appeal stood rejected.

Considering the controversy, we can dispose of the petition by issuing the following direction :

-(i) The Petitioners to deposit a sum of Rs.3 lakhs before the DRAT within two weeks from today and the balance of the 25% within 8 weeks thereafter. On such deposit, the appeal to stand restored and be heard finally. In the meantime, the Respondent not to take steps to execute the certificate issued.

Rule made absolute accordingly. No order as to costs.

(F.I. Rebello, J.)

(Dr. D.Y. Chandrachud, J.)